

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 15-3762 JCH

NAEL ALI,

Defendant.

**UNOPPOSED MOTION TO VACATE AND CONTINUE
SENTENCING HEARING SETTING**

Defendant Nael Ali, by and through his counsel, Jerry Daniel Herrera, hereby moves the Court, unopposed, for an Order vacating and continuing the current sentencing hearing, and as grounds for said motion would show to the Court as follows:

1. The defendant, in this matter, was indicted on October 20, 2015 [Doc. 3] followed by a Superseding Indictment on March 23, 2016 [Doc. 42] and then in a second indictment on February 7, 2017, in 17 CR 370 [Doc. 2]. These matters have been resolved pursuant to a plea of guilty to an *Information* filed on October 18, 2017. [Doc. 99].

2. This Court has scheduled sentencing for March 1, 2018. [Doc. 108].

3. This case along with the companion case, 17 CR 370, has complex and diverse financial dimensions which require additional time to sort out. Counsel needs additional time to respond to both the presentence report, informally, to assess and determine the financial aspects as they impact the U.S.S.G. with possible subsequent,

formal objections. Further counsel needs additional time to prepare his sentencing memorandum.

4. Mr. Ali is not currently in custody.

5. Assistant United States Attorney Kristopher Houghton does not oppose this motion. Both counsel have agreed to a sentencing date of March 22, 2018 if the Court is available.

6. There have been no prior requests to continue the sentencing.

/s/ Electronically signed

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I hereby certify that a true and correct copy of the foregoing was filed with the Court using the ECF system which automatically provides a copy to opposing counsel and to other interested parties, on this 6th day of February, 2018.

/s/ Electronically signed

JD Herrera